

EXAMINER'S COMMENT/AMENDMENT
AND
STATEMENT OF REASONS FOR ALLOWANCE
Election/Restrictions

1. This application is in condition for allowance except for the presence of claims 21 through 32 directed to "a damping system for arresting motion" non-elected without traverse. Accordingly, claims 21 through 32 are cancelled below.

2. In view of applicant's remarks filed March 10, 2009, **the restriction requirement as set forth in the Office action mailed on December 17, 2008 is hereby withdrawn**. Claims 33 through 37 and 39 through 42 are dependent upon independent claim 15 or an intervening claim. In view of the withdrawal of the restriction requirement as to the rejoined inventions, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided

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by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

4. Authorization for this examiner's amendment was given in a telephone interview with Dominic Ciminello on April 12, 2009.

5. The application has been amended as follows:

In the Claims:

In claim 20, change "The rotary photographic shutter of wherein" to - - The rotary photographic shutter of claim 18 wherein - -.

Cancel claims 21 through 32, and 44.

Amend claim 43 as follows:

- - A rotary photographic shutter, comprising:

a) a plurality of shutter blades moveable between an open and closed position;

b) a drive arm configured to move the shutter blades between an open position and a closed position; and

c) a damping system comprising a bumper and a damper, one of the bumper and the damper being mounted on the drive arm, and the bumper and the damper being shaped to provide substantially point contact therebetween at the one of the open and closed positions[.]

wherein the bumper comprises an inner bumper and an outer bumper, the damper being configured to travel along a path between the inner bumper and the outer bumper. - -

In claim 45, change "The rotary shutter of claim 44" to - - the rotary shutter of

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claim 43 - -.

Amend claim 46 as follows:

- - A rotary photographic shutter, comprising:

a) a plurality of shutter blades moveable between an open and closed position;

b) a drive arm configured to move the shutter blades between an open position and a closed position; and

c) a damping system comprising a bumper and a damper, one of the bumper and the damper being mounted on the drive arm, and the bumper and the damper being shaped to provide substantially point contact therebetween at the one of the open and closed positions [The rotary photographic shutter of claim 43]

wherein the damper comprises an inner damper connected to an outer damper. -

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Amend claim 47 as follows:

- - A rotary photographic shutter, comprising:

a) a plurality of shutter blades moveable between an open and closed position;

b) a drive arm configured to move the shutter blades between an open position and a closed position; and

c) a damping system comprising a bumper and a damper, one of the bumper and the damper being mounted on the drive arm, and the bumper and the damper being shaped to provide substantially point contact therebetween at the one of the open and closed positions [The rotary photographic shutter of claim 43]

wherein the damper is isolated from contact with the shutter blades. - -

The following is an examiner's statement of reasons for allowance:

The closest prior art of record neither shows nor suggests a rotary photographic shutter comprising a plurality of blades as in claims 43, 46 and 47, comprising all of the elements of those claims and particularly a damper comprising an inner damper and an outer damper configured as claimed in claims 43 and 46, or wherein the damper is isolated from contact with the shutter blades as in claim 47.

Conclusion

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELISSA J. KOVAL whose telephone number is (571) 272-2121. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick J. Assouad can be reached on 571-272-2210. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/MELISSA J KOVAL/
Primary Examiner, Art Unit 2862

MELISSA J KOVAL
Primary Examiner
Art Unit 2862

MJK